

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE: PATSY R. CANNON) **CASE NO. 16-10932-JDL**
)
)
 Debtor(s).) **Chapter 13**

**DEBTOR'S OBJECTION TO INTERNAL BANK OF COMMERCE'S
PROOF OF CLAIM IN-PART AND NOTICE OF HEARING.**

COMES NOW the Debtor, Patsy R. Cannon, (hereinafter referred to as "Debtor") by and through her attorney of record, Dekovan L. Bowler of the Law Firm of Bowler & Associates P.C., and hereby objects to the proof of claim (claim #5) filed by International Bank of Commerce (hereinafter referred to as "IBC Mortgage") or more specifically to the Notice of Mortgage Payment Change filed on the 23rd day of January, 2017. In support of said objection, the Debtor would state as follows:

1. Debtor filed for relief under the provisions of Chapter 13 Bankruptcy on March 17, 2016.
2. Debtor's Chapter 13 Plan was confirmed on July 11, 2016.
3. On January 23, 2017, IBC Mortgage filed a Notice of Mortgage Payment Change stating an monthly mortgage payment increase from \$488.56 per month to \$873.93 per month, effective April 1, 2017.
4. It is the Debtor's position that her new ongoing monthly mortgage payment should be \$610.43 (\$359.93 P&I + \$77.50 property taxes + \$173.00 insurance= \$610.43).

WHEREFORE premises considered, Debtor prays that this court deny IBC Mortgage's on-going monthly mortgage payment of \$873.93 per month and allow IBC Mortgage an on-going monthly mortgage payment of \$610.43 per month and for any further relief the Debtor may be

entitled to according to bankruptcy law.

Respectfully Submitted,

/s/ Dekovan L. Bowler

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ATTORNEY FOR THE DEBTOR

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102 no later than 14 days from the date of filing of this request for relief. You should also serve a file stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice. The 14 day period includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).

NOTICE OF HEARING

Notice is hereby given that if a response to the Debtor's Objection to IBC Mortgage's Proof of Claim is filed, the hearing on the matter will be held on May 23, 2017 at 8:30 a.m. in the second floor courtroom of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102. If no response is timely filed and the court grants the requested relief prior to the above-referenced hearing date, the hearing will be stricken from the docket of the Court.

CERTIFICATE OF SERVICE

This is to certify that on the 12th day of April, 2017 a true and correct copy of the above and foregoing objection was mailed postage prepaid to the following: The Office of the Assistant U.S. Trustee's Office, 215 Dean A. McGee, 4th Floor, Oklahoma City, Oklahoma 73102; John Hardeman, Chapter 13 Trustee, P.O. Box 1948, Oklahoma City, Oklahoma 73102; IBC Mortgage, 1 Corporate Drive, Suite 360, Lake Zurich, IL 60047-8945; IBC Mortgage, In c/o: Baer & Timberlake, P.C., Attn: Jim Timberlake, 4200 Perimeter Center Drive, Suite 100, Oklahoma City, OK 73102.

/s/ Dekovan L. Bowler

Dekovan L. Bowler